

## REMARKS

In the Office Action mailed April 30, 2007, the Examiner noted that claims 1-24 were pending, and rejected claims 1-24. Claims 1, 9, 11, 14, 17-19, 22 and 23 have been amended, no claims have been canceled, new claim 25 has been added and, thus, in view of the forgoing claims 1-25 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

## REJECTIONS under 35 U.S.C. § 102

Claims 1-24 stand rejected under 35 U.S.C § 102(b) as being anticipated by Goldhaber, U.S. Patent No. 5,794,210. Goldhaber is directed to a brokerage for paying consumer for viewing an advertiser's advertisement. In contrast, the present claims are directed to judging level of response for a user having viewed an advertisement and compensating the user in proportion to the response.

On page 3 of the Office Action, it is stated that Goldhaber col. 7, lines 63-67; col. 11, lines 32-43; col. 17, lines 33-63; and col. 23, lines 1-3 teach "judging a level of contribution, of a questionnaire response, to said advertiser, the level of contribution having plurality of values; and determining a reward amount for each questionnaire response in proportion to the level of contribution," as in claim 1. The Applicant respectfully disagrees and traverses the rejection with an argument. Goldhaber does not teach or suggest determining a reward amount for each questionnaire response based on the level of contribution. On page 4 of the Office Action, it is stated that:

Golhaber describes the user receiving additional compensation for answering a question regarding the users interest in having the merchant contact them. When the user answers in the affirmative **additional information is supplied to the merchant (increased contribution), and additional compensation is provided.** [Emphasis added]

Thus, the Office Action appears to state that additional compensation is provided for answering additional question in a questionnaire. But, Goldharber col. 7 lines 63-67 states:

The ad might ask Cynthia if she is interested in having the merchant contact her directly, and can include another **CyberCoin that compensates Cynthia for the informing the merchant of her identity.** Cynthia can be given the choice of whether her identity is to be released--thereby protecting her privacy.

Thus, Goldharber discusses paying (compensating) Cynthia for releasing her name, not for determining a reward amount in proportion to her level of contribution to a questionnaire. To

further clarify this feature claim 1 has been amended to recite “judging a level of contribution, of a questionnaire regarding the advertisement information response, to said advertiser, the level of contribution having plurality of values; and determining a reward amount for each questionnaire regarding the advertisement information response in proportion to the level of contribution,” as in amended claim 1, “wherein said control unit judges a level of contribution, of a questionnaire regarding the advertisement information response, to said advertiser, and determines a reward amount for each questionnaire regarding the advertisement information in proportion to the level of contribution, in the case where a prescribed reward amount is paid to users who respond to questionnaires, the level of contribution having plurality of values,” as in amended claim 14, “judging a level of contribution, of the response to the questionnaire regarding the advertisement information, the level of contribution having plurality of values; and determining a reward amount for each questionnaire regarding the advertisement information response in proportion to the level of contribution,” as in amended claim 22. Thus what is being compensated is the level of response for answering a questionnaire regarding the advertisement information, rather than compensating for releasing a name. Further, Golharber does not teach or suggest “determining from a contribution level a consumer makes when answering a survey about a product in response to the consumer viewing an advertisement for the product; and paying a reward in proportion to the contribution level determined for each survey which the consumer answers,” as in claim 24.

For at least the reasons stated above claims 1, 14, 22 and 24 and the claims dependent therefrom are patentably distinguishable from Goldharber.

As regards claim 5, the Office Action states “Goldharber does not limit the time frame in which interaction with the advertisement is disclosed in these sections occurs. Therefore, interactions such as rating the ads are interpreted by the Examiner to be capable of being performed pre-purchase or post-purchase.” The Applicant respectfully disagrees and traverses the rejection with an argument. Goldharber col.18 lines 52-55 states “[t]he consumer may also place an order for specific goods or services (e.g., in response to some displayed ads or interaction with them) (FIG. 13, block 314).” Thus, Goldharber suggests that the interaction is prior to the purchase of goods and therefore pre-purchase. Therefore, Goldharber does not teach or suggest “said questionnaires include one of a pre-purchase questionnaires for said user to respond before said user purchases the goods and/or services corresponding to said distributed advertisement information and a post-purchase questionnaires for said user to respond after said user purchases the goods and/or services corresponding to said distributed advertisement information.

As regards claim 9, Goldharber fails to teach or suggest "wherein the level of contribution is calculated by using parameters corresponding to importance, credibility and novelty of the questionnaire regarding the advertisement information response."

Withdrawal of the rejections is respectfully requested.

#### **NEW CLAIM**

Claim 25 is new. Support for the claim found in Fig. 5 and paragraph 0080. The cited art failing to teach or suggest rewarding a user for answering a questionnaire about advertising information viewed.

#### **SUMMARY**

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 102. It is also submitted that claims 1-25 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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